AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT
for the

Western District of Texas

| | |
|---|---|
| Wayne Fueling Systems LLC ) ) ) ) ) ) | |
| _Plaintiff(s)_ ) | |
| v. ) | Civil Action No. 1:16-cv-1076 |
| ) ) | |
| SunPower Corporation ) ) ) ) | |
| _Defendant(s)_ ) | |

## SUMMONS IN A CIVIL ACTION

To: _(Defendant's name and address)_

    SunPower Corporation
    c/o Registered Agent CT Corporation System
    1999 Bryan St., Suite 900
    Dallas, TX 75201

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

    Beverly Reeves
    Sinead O'Carroll
    Reeves & Brightwell LLP
    221 W. 6th St., Suite 1000
    Austin, TX 78701

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

_CLERK OF COURT_

Date: _____          _____
                                                _Signature of Clerk or Deputy Clerk_

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Civil Action No.

## PROOF OF SERVICE
### *(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____ , a person of suitable age and discretion who resides there,

on *(date)* _____ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:


My fees are $ _____ for travel and $ _____ for services, for a total of $ ____0.00____ .

I declare under penalty of perjury that this information is true.


Date: _____          _____
                                             *Server's signature*

                                  _____
                                             *Printed name and title*


                                  _____
                                             *Server's address*

Additional information regarding attempted service, etc: